

ZONING & SPECIAL USE REQUIREMENTS
(NOT INCLUDING PLANNED DEVELOPMENTS)

GENERAL REQUIREMENTS

Authority to File Applications

Unless otherwise stated, all applications under this Chapter shall be initiated by the fee simple owners of the subject property or their authorized agent, or by the City of Woodstock.

Ownership Disclosure

The ownership disclosure requirements of this Section shall apply to all applications pertaining to specific real property.

- A. If the owner has entered into a contract for the sale of the subject property, the contract purchaser may be a petitioner to the application or may be designated as the authorized agent of the owner.
- B. If the subject property is governed by a land trust, the trustee of the land trust shall be a petitioner or co-petitioner, and the beneficiaries of said trust shall be identified. All applications shall be verified by the applicant, petitioner, or co-petitioner in his or her capacity as trustee.
- C. When the owner is a business entity, the application shall include the names and addresses of all true and actual owners of such business.
- D. When the petitioner is a partnership, joint venture, or unincorporated association, the application shall include the names and addresses of all partners, joint venturers, syndicate members, or members of the unincorporated association.

Form of Application

Applications required under this Chapter shall be submitted in both written and electronic form and in such numbers as required by the Community Development Director. An application shall be signed by the owner of the subject property and the owner's representative, if applicable. Application submittal materials may be obtained from the Community & Economic Development Department.

Filing Fees

Applications shall be accompanied by required administrative and filing fees established by the City Council. No application shall be processed and no application shall be considered submitted until said fees have been paid.

Application Completeness

An application shall be considered complete if it is submitted in the required format, includes all mandatory information, and is accompanied by required fees. Any application determined to be incomplete shall be returned to the petitioner with an explanation of the application's deficiencies. No further processing of the application shall occur until the deficiencies are corrected.

Public Hearing Notices

- A. **Content and Approval.** All public hearing notices required herein, except for posted notices, shall (1) indicate the date, time, and location of the public hearing, and the action that is the subject of the notice, (2) indicate where additional information can be obtained, (3) describe the property involved in the application by street address, general location, and/or legal description, sufficient to identify the subject property, (4) describe the purpose of the application; and (5) the name of the petitioner. All notices shall be submitted to the Planning & Zoning Administrator for approval and assignment of a date and time for the hearing or action (*see Appendix G for Standard Public Hearing Notice*).
- B. **Types of Notices**
1. **Property Owner Notice.** When the provisions of this Ordinance require notice to be made to neighboring property owners, the petitioner shall mail or deliver notice to all owners of record of property affected by the proposed development or activity. A mailed notice shall be made via certified mail with "return receipt requested." A delivered notice shall be witnessed and attested to by the petitioner or petitioner's agent. At a minimum, notice shall be made to all record owners of property adjacent to the subject property, excluding public right-of-way.
 2. **Newspaper Notice.** When the provisions of this Ordinance require notice to be published in a local newspaper, the petitioner shall ensure that such notice is published in a newspaper of general circulation in the City of Woodstock.
 3. **Posted Notice.** When the provisions of this Ordinance require notice to be posted, the petitioner shall post the notice on the subject property so that it is clearly visible from a public street and within ten (10) feet of the property line nearest to a public street. The signage required for this notification will be provided by the City upon receipt of the required fee.
- C. **Timing.** Unless otherwise provided by state statutes or in this Ordinance, neighbor, newspaper, and posted notice of public hearings shall be mailed or delivered, published, and placed at least fifteen (15) but no more than thirty (30) days prior to the public hearing, meeting, or action that is the subject of the notice.

- D. **Constructive Notice.** Minor defects in notice content shall not impair the notice or invalidate proceedings pursuant to the notice if a bona fide attempt has been made to comply with notice requirements. Failure of a party to receive notice shall not invalidate any subsequent action. In all cases, however, the requirements for the timing of the notice and for specifying the date, time, and place of a hearing and the location of the subject property shall be strictly construed. If questions arise regarding the adequacy of the notice, the body conducting the public hearing or meeting shall make a formal finding as to whether there was substantial compliance with the notice requirements of this Ordinance.

Administrative Review

The Planning & Zoning Administrator shall review applications required under this Chapter and provide a report and recommendation to applicable boards, commissions, and the City Council.

Action by Decision-Making Bodies

Unless otherwise expressly stated, decision-making bodies are authorized to approve, approve with conditions, or deny applications and permit requests based on compliance with applicable review and approval criteria. However, applications for a zoning change may not be approved with conditions. Decision-making bodies may also table an application for additional review or refrain from taking action until additional information is obtained.

Conditions of Approval

When approving development applications, decision-making bodies may impose such conditions as allowed by law to reduce or minimize potential adverse impacts upon other property in the area, or to carry out the general purposes and intent of this Ordinance. In no instance, however, may conditions be imposed as a condition of zoning approval.

Approval Criteria and Burden of Proof

In all cases, the petitioner must be able to prove that an application complies with applicable approval criteria and requirements.

Public Hearings

- A. **Location.** Unless other provisions are made, a public hearing required in this Ordinance shall be held in the Council Chambers or a specific conference room at the City of Woodstock City Hall.
- B. **Quorum.** In order to conduct a required public hearing, a quorum of board or commission members shall be present. If a member is excused due to a conflict of interest or other relevant reason, and as a result a quorum is not present, the hearing may not be held. If it is impossible to achieve a quorum, the relevant board or commission

may by a simple consensus of those present, recommend that the required public hearing be referred to the City Council without a recommendation, in which case the City Council may conduct a required public hearing.

- C. Continuation. A public hearing for which proper notice was given may be continued to a later date without again complying with the notice requirements of this Ordinance, provided the continuance is set for a specific date, time, and location, and that said date, time, and location is announced at the public hearing.

Public Hearing Process

- A. During the public hearing process, the hearing body is not bound by strict rules of evidence as applied in Illinois courts pertaining to civil actions. Evidence shall be received which is material and relevant, and which would be relied upon by reasonably prudent persons in the conduct of serious affairs. When the admissibility of evidence depends upon an interpretation of substantive law, the Chairperson of the hearing body shall determine whether said evidence is admissible.
- B. Public Hearing Parameters. A public hearing and the notification requirements thereof shall comply with this Ordinance unless altered by the provisions set forth herein.
 - 1. The Planning & Zoning Administrator reserves the right to engage the services of one or more court reporters to provide transcripts of the hearing. Costs associated with such transcripts shall be at the petitioner's expense and the proceedings shall not move forward until said costs are paid.
 - 2. If City facilities are not sufficient to accommodate the number of persons expected at the hearing, the hearing may be held at another site. In such circumstances, the City may rent appropriate facilities and/or equipment and engage in the services of appropriate personnel necessary to conduct a proper hearing. Costs associated with such arrangements shall be at the petitioner's expense and the proceedings shall not move forward until said costs are paid..
 - 3. All testimony presented at the hearing shall be under oath or affirmation. Any person appearing at the hearing shall have the right to give testimony and to comment on the petition. Any person testifying shall be required to state their name and address and, if applicable, who they are representing. Any person appearing at the hearing shall also have the right of reasonable cross-examination and the scope of the cross-examination shall be determined by the Chairperson of the hearing body.
 - 4. The hearing body reserves the right to limit testimony, questions, comments and cross-examination to prevent argumentative comments or personal attacks, to maintain order and decorum during the hearing process, and to prevent irrelevant and unnecessarily repetitive materials in the record. The members of the hearing body reserve

the right to ask questions of or reply to any party testifying in order to clarify an issue, statement, or fact.

5. Written statements may be accepted by the hearing body until such time as the public comment portion of the public hearing is closed.

6. Any person has the right to be represented by another individual at the hearing. Such individual shall also have the right of reasonable cross-examination and the scope of cross-examination shall be determined by the Chairperson of the hearing body.

7. The City, at its sole discretion, shall have the right to determine whether information provided can be evaluated by the City Administration. If this cannot be accomplished, the City shall have the authority to retain the services of one or more professional consultants or experts to assist in the review of the petition. Any and all costs for such services shall be at the petitioner's expense and the proceedings shall not move forward until said costs are paid. Such consultants or experts shall have the same standing to testify and to be cross-examined as any other witnesses at the hearing.

8. After the hearing body has passed a motion to close the public comment portion of the hearing, members of the hearing body may begin their deliberations in order to take action. The hearing body may begin its deliberations prior to the close of the hearing if additional public comment is anticipated or if members of the hearing body expect to ask questions of or reply to any party testifying

9. Members of the public may obtain copies of any documents filed with the City upon application and payment to the City of the actual cost of reproduction in accordance with the Freedom of Information Act.

10. The hearing body, subject to City Council approval, may establish reasonable rules and procedures, in addition to those set forth herein, for the conduct of hearings and procedures to be followed during hearings.

C. Order of Business. The content and order of presentation at a public hearing shall generally be as follows, but may be modified by the hearing body or its Chairperson prior to the start of the hearing:

- Establish the presence of a quorum.
- Identification of petitioner and verification of notice.
- Identification of witnesses and administration of oath or affirmation by hearing body Chairperson or City Attorney.
- Testimony and other evidence by petitioner and witnesses.

- Hearing body examination and questioning of petitioner, witnesses, and other evidence.
- Examination of petitioner, witnesses, and evidence by persons attending the hearing. Such examination shall be limited to the scope of the testimony presented by the petitioner and on any verbal or written reports submitted by a witness as part of the application process.
- Presentation of testimony and other evidence by members of the public attending the hearing. The petitioner may examine and question those members of the public submitting such testimony and other evidence.
- Re-examination of the petitioner by the hearing body, if necessary.

D. Decision

1. At the conclusion of the evidentiary portion of the public hearing, the hearing body may move to close the public comment portion of the hearing or continue the hearing to a specific date, time and location. It may then deliberate its decision on the evidence presented. A decision shall be prepared, accompanied by relevant findings of fact if applicable, and shall be based on the record and pursuant to this Chapter. Such a decision shall not be valid unless approved by a majority of a quorum of the board or commission members.

2. The City Council may adopt the hearing body's findings or findings different from those of the hearing body. A decision by the City Council shall be approved by a simple majority of the Council members, except as provided for herein.

E. Additional Evidence or Testimony. Evidence or testimony may only be presented at the public hearing. If the board or commission conducting the public hearing requires additional evidence, or if any person desires to present additional evidence after the close of the public hearing, the public hearing shall be re-opened and conducted in accordance with this Section.

ZONING MAP AMENDMENTS AND ZONING CHANGES

Application Filing

A. Applications for zoning map amendments or changes in zoning may be made by the owner of the subject property, the owner's authorized agent or representative, the Planning & Zoning Administrator, or the City Council.

B. A contract purchaser of the subject property may be considered the owner's authorized agent for purposes of filing a zoning map amendment or rezoning application.

C. An application for zoning map amendment or rezoning shall be submitted to the Community & Economic Development Department on forms available from the Department and with all required items. Such application may be filed and processed concurrently with other development applications.

Content Requirements

The application for a zoning map amendment or rezoning shall include, but not be limited to, the following items:

- A. The name, address, and telephone number of the owner of the subject property and, if applicable, the name and address of the owner's authorized agent.
- B. A description of the subject property, its general location, its present and proposed zoning designation, its area in acres or square feet, a plat of survey and legal description of the property, and its permanent Parcel Index Number (PIN).
- C. An explanation and justification as to why the zoning map change is being requested, the general or specific intended use of the subject property if known, and how it relates to the use and zoning status of surrounding land parcels and to the City's comprehensive planning documents.
- D. A Natural Resources Information (NRI) Report from the McHenry County Soil and Water Conservation District or correspondence from said District indicating that an NRI Report may not be necessary. If the property is already developed, an NRI may not be required.
- E. An Endangered Species Consultation Program Agency Action Report from the Illinois Department of Natural Resources or correspondence from said Department indicating that such a Report is not necessary. If the property is already developed, an Endangered Species Consultation Program Agency Action Report may not be required.
- F. A "consent to on-site inspection" form.

Public Hearing Notice

Upon receipt of the required application and a determination that it is complete, the Planning & Zoning Administrator shall authorize the scheduling of a required public hearing before the Plan Commission. Neighbor, newspaper, and posted notices shall be provided for all public hearings in accordance with the requirements of this Ordinance. Neighbor notices shall be mailed to the record owners of all property within 250 feet of the subject property.

Plan Commission Action

The Plan Commission shall hold a public hearing on a proposed zoning map amendment or zoning change and make a recommendation to the City Council, based on the approval criteria set forth herein. Such a recommendation shall be made within thirty (30) days following the date on which the required public hearing is concluded and closed. This time frame may be extended to a specific date at the request of the Plan Commission subject to the petitioner agreeing to such extension. If a recommendation can not be made, the zoning map amendment or zoning change shall be forwarded to the City Council for final consideration.

City Council Action

- A. After receiving a recommendation from the Plan Commission, the City Council shall review the application and approve or deny the proposed zoning map amendment or rezoning. The City Council's action shall occur within thirty (30) days following the date on which the application is placed on a City Council meeting agenda and consideration of the application commences. This time frame may be extended to a specific date at the request of the City Council subject to the petitioner agreeing to such extension.
- B. When the following conditions occur, a zoning map amendment or rezoning shall require a favorable vote of three-fourths (3/4) of all the members of the City Council in order to be approved:
 - 1. If a written protest against the proposed zoning map amendment or rezoning is filed with the City Manager, signed and acknowledged by (a) the owner or owners of at least twenty percent (20%) of the land to be rezoned, or (b) the owner or owners of land immediately touching or immediately across a street, alley, or public right-of-way from at least twenty percent (20%) of the perimeter of the land to be rezoned.
 - 2. If the proposed zoning map amendment or rezoning receives a negative recommendation from the Plan Commission.
- A. If an application for a zoning map amendment or rezoning is denied, a subsequent zoning map amendment or rezoning pertaining to the subject property shall not be presented, scheduled for a public hearing, or reviewed by the Plan Commission until a time period of six (6) months has elapsed.

Zoning Map Amendments and Variations

When a variation is requested as part of a petition for a zoning map amendment or rezoning, the Plan Commission shall consider said request and conduct a public hearing on both the variation and the zoning map amendment or rezoning. After the conclusion of such a hearing, the Plan Commission shall present its recommendation regarding the variation and zoning map change to the City Council. Such a recommendation shall be made within thirty (30) days following the date on which the required public hearing is concluded and closed. This time frame may be extended to a specific date at the request of the Plan Commission subject to the petitioner agreeing to such extension. In such instances the Plan Commission shall serve in lieu of and

with the same power and authority of the Zoning Board of Appeals. Procedures and criteria applicable to the Zoning Board of Appeals, including public hearing notice requirements, as set forth in Section 4.5 herein shall apply to and be used by the Plan Commission when such a variation is considered.

Zoning Map Amendment Approval Criteria

Zoning map amendments or rezonings may be approved based on the following criteria. In some instances all of the criteria may not be relevant or applicable, and none of the individual criteria by itself has more standing than the others.

- A. The zoning map amendment or rezoning corrects an error or responds to a changing condition in the area;
- B. The zoning map amendment or rezoning will allow land uses that are compatible with existing uses and zoning of nearby property;
- C. Adequate public facilities and services can be provided to the subject property. The subject property is suitable for the uses allowed if the zoning map amendment or rezoning is approved and possesses physical attributes which allows it to be used in accordance with the proposed zoning designation;
- D. The zoning map amendment or rezoning will not result in significant adverse impacts on other land in the vicinity of the subject property or on the environment, including air, water, noise, stormwater management, and natural resources;
- E. The zoning map amendment or rezoning will not result in a lessening of area property values or the ability of area properties to be used in accordance with the underlying zoning designation. If property values are lessened as a result of the proposed amendment, there should be a benefit to the public which justifies or supercedes such loss of value;
- F. The public or community benefit derived from the uses allowed within the proposed zoning district.

SPECIAL USE PERMITS

Application Filing

An application for a special use permit, verified by the owner or authorized agent of the owner of property involved, shall be filed in the Community & Economic Development Department upon a form provided by the Department and shall contain or be accompanied by all required information. Detailed plans, drawings, and other information as specified by this Ordinance shall be required for the various meetings and hearings at such time as prescribed by the Planning &

Zoning Administrator. Special use permit applications may be filed and processed concurrently with other development applications.

Content Requirements

The application for a special use permit shall include but is not limited to the following items which shall be provided prior to the public hearing:

- A. The name, address, and telephone number of the owner of the subject property and, if applicable, the name and address of the owner's authorized representative.
- B. A description of the general location of the subject property, its present zoning status, its area in acres or square feet, a survey and legal description of the subject property, and its permanent Parcel Index Number (PIN).
- C. A detailed description of the special use requested and how it relates to the use and zoning status of surrounding properties and to the City's comprehensive planning documents. If the subject property is vacant and undeveloped, a detailed site plan shall be submitted which depicts how the subject property is intended to be developed.
- D. A Natural Resources Information (NRI) Report prepared by the McHenry County Soil and Water Conservation District or correspondence from said District indicating that an NRI Report is not necessary. If the subject property is already developed an NRI Report may not be required.
- E. An Endangered Species Consultation Program Agency Action Report from the Illinois Department of Natural Resources. If subject property is already developed or part of an existing development, an Endangered Species Consultation Program Agency Action Report may not be required.
- F. A "consent to on-site inspection" form signed by the applicant or owner.
- G. If the subject property is vacant and undeveloped, and not part of a platted subdivision, information shall be provided which depicts any floodplain or wetland features, existing vegetation, trees having a diameter measured at breast height (dbh) of four (4) or more inches, and existing stormwater drainage flows.

Public Hearing Notice

Upon receipt of the required application and a determination that it is complete, the Planning & Zoning Administrator shall authorize the scheduling of a required public hearing before the Plan Commission. Neighbor, newspaper, and posted notices shall be provided for all public hearings in accordance with the requirements of this Ordinance. Neighbor notices shall be mailed to all record owners of property within 250 feet of the subject property.

Plan Commission Review and Action. The Plan Commission shall hold a public hearing on the special use permit application and make a recommendation to the City Council, based on the special use permit approval criteria set forth herein. Such a recommendation shall be made within thirty (30) days following the date on which the required public hearing is concluded and closed. This time frame may be extended to a specific date at the request of the Plan Commission subject to the petitioner agreeing to such extension. The Plan Commission may recommend approval, denial, or approval with conditions of the requested special use permit. If a recommendation can not be made, the special use permit application shall be forwarded to the City Council for final consideration.

City Council Review and Action

After receiving required recommendations, the City Council shall review the application and approve, approve with conditions, or deny the proposed special use permit. The City Council's action shall occur within thirty (30) days following the date on which the application is placed on a City Council meeting agenda and consideration of the application commences. This time frame may be extended to a specific date at the request of the City Council subject to the petitioner agreeing to such extension.

Commentary: Legal Standards for Reviewing a Rezoning Petition

In LaSalle National Bank of Chicago v. County of Cook, 12 Ill2d 40, 145 N.E. 2d 65 the Illinois Supreme Court established six factors to be considered when reviewing a zoning request. Subsequently, in the case of Sinclair Pipeline Company v. Village of Richton Park 19 Ill. 2d 370, 167 N.E.2d 406 the Supreme Court added two other factors. The factors in these cases constitute the legal basis for the review of zoning decisions by a local government and are summarized below.

1. **The existing uses and zoning of nearby property.** *Are the adjoining property uses consistent with the proposed use? Are there any conflicts between the proposed zoning district and the uses allowed therein and the uses either allowed or existing on nearby properties? Moreover, what is meant by the term "nearby"? Zoning has to begin and end somewhere, and just because a use exists on one side of a street does not mean it must extend across it. Often streets are used as zoning demarcation lines.*
2. **The extent to which property values are diminished by particular zoning restrictions.** *An increase in property value because of a change in allowable uses by itself is not a basis for rezoning. Rather, it is only one factor to be considered and must be weighed against any real or potential detriment to the public welfare resulting from the zoning change.*
3. **The extent to which the destruction of property values of the applicant promotes the health, safety, morals or general welfare of the public.** *This is both a fact question and also a policy question as it relates to the proposed use.*
4. **The relative gain to the public as compared to the hardship imposed upon the individual property owner.** *For example, in considering a proposed commercial rezoning next to a residential area, one consideration would be the impact on the residences as compared to the benefit to the entire community of having a commercial development in the proposed location.*

5. ***The suitability of the subject property for the zoned purposes.*** Under this consideration topography, soils, parcel size and location, and other physical characteristics of the parcel to be rezoned are examined to see if the zoning is appropriate.
6. ***The length of time the property has been vacant as zoned considered in the context of land development in the immediate area and the general vicinity of the subject property.*** This criterion is more relevant to in-fill properties than to outlying vacant lands proposed to be annexed to the City. In the former the length of time the property is vacant may suggest that current zoning is inappropriate and that rezoning is appropriate. In the latter case unannexed land that has been vacant does not in and of itself necessarily suggest rezoning is appropriate.
7. ***The community need for the proposed use.*** One weighs the need in the community for the proposed zoning change. For example, the City may consider whether sufficient commercial zoning already exists or whether a rezoning is appropriate due to a scarcity of multiple-family zoning.
8. ***The care in which the community has undertaken to plan its land use development.*** Here the courts look at a City's comprehensive planning documents to determine if previous proposals have been made to the plan regarding the land being rezoned. If zoning is challenged, it is helpful if the City has a record with regard to existing zoning being consistent with its comprehensive plan. If the plan suggests the rezoning of the property, it is difficult to defend against it. Also, past comprehensive planning efforts in the municipality may indicate the weight to be accorded the City's decision.

Special Use Permits and Variations

When a variation is requested as part of a special use permit petition, the Plan Commission shall consider said request and conduct a public hearing on the special use petition and the variation. After the conclusion of such a hearing, the Plan Commission shall present its recommendation regarding the combined special use permit petition and the variation to the City Council. Such a recommendation shall be made within thirty (30) days following the date on which the required public hearing is concluded and closed. This time frame may be extended to a specific date at the request of the Plan Commission subject to the petitioner agreeing to such extension. In such instances the Plan Commission shall serve in lieu of and with the same power and authority of the Zoning Board of Appeals. Procedures and criteria applicable to the Zoning Board of Appeals, including public hearing notice requirements, as set forth in Section 4.5 herein shall apply to and be used by the Plan Commission when such a variation is considered. If a recommendation can not be made, the combined special use permit and variation application shall be forwarded to the City Council for final consideration.

Special Use Permit Approval Criteria

Special use permit applications may be approved after a finding that the following approval criteria have been addressed.

- A. That the special use will not impair or be detrimental to the public health, safety, morals or general welfare of persons residing or working in the vicinity.

- B. That the special use will not negatively impact or conflict with neighboring land uses or negatively affect the value of neighboring property.
- C. That the special use will not conflict with the general goals and objectives of Woodstock's comprehensive planning documents.
- D. That the special use will be designed, constructed, operated and maintained in a manner that is compatible with the existing or desired character of the surrounding area.
- E. That additional traffic which may occur as a result of the special use will not be detrimental to public safety and welfare.
- F. That the special use can be served by public facilities and services, and by private utilities.
- G. That the special use will comply with applicable City ordinances unless varied or waived by the City Council as part of the special use permit approval process.

Findings of Fact

All recommendations from the Plan Commission regarding special use permit applications shall be supported by findings of fact specifying the reasons and justification for the decision.

Lapse of Approval

Unless otherwise expressly stated in the approved special use permit, if an approved special use activity has not been established within two (2) years of the date of approval by the City Council or if the special use ceases to be maintained for a period of more than 1 year, the special use permit shall lapse and be of no further effect. For purposes of this section, the term "established" shall mean the issuance of a building or construction permit or certificate of occupancy for the special use. For phased development, the term "established" shall mean the issuance of a building or construction permit for the first phase of development. The time-frames stated herein may be extended for up to one year by the Planning & Zoning Administrator if a written extension request is filed with the City prior to the expiration of the special use permit. Any additional extensions may be granted by the City Council only upon written request of the applicant.

Amendments to an Approved Special Use Permit

Any proposed change, amendment, or alteration of an approved special use permit, except for those needed to comply with the City's engineering standards or building code requirements, or those due to a reduction in density, floor area, or impervious surfaces, may be approved only pursuant to the standards and procedures established for issuance of a special use permit.

STANDARD DEVELOPMENT REVIEW APPLICATION
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**CITY OF WOODSTOCK
DEVELOPMENT REVIEW APPLICATION**

DATE:

PROJECT NAME:

REQUESTED REVIEW (check applicable items):

- | | |
|--|------------------------------------|
| <input type="radio"/> Discussion Item | <input type="radio"/> Subdivision |
| <input type="radio"/> Variation | <input type="radio"/> Other (list) |
| <input type="radio"/> Annexation | _____ |
| <input type="radio"/> Rezoning | _____ |
| <input type="radio"/> Special Use Permit | — |
| <input type="radio"/> Planned Unit Development | _____ |

PROJECT TYPE: Residential, Commercial, Industrial, Institutional, Public

PROJECT LOCATION:

PROJECT DESCRIPTION:

PROPERTY OWNER (name, address, and phone number - if ownership is held in trust, a statement indicating the name and beneficial interest of such trust must be attached):

APPLICANT (contact person, business name, address, and phone number):

STATEMENT OF APPLICANT'S INTEREST:

ATTORNEY (name, address, and phone number):

ENGINEER (name, address, and phone number):

OWNER'S SIGNATURE:

_____ Date: _____, 20____

APPLICANT'S SIGNATURE:

_____ Date: _____, 20____

STANDARD PUBLIC HEARING NOTICE

NOTICE OF PUBLIC HEARING

The public is hereby notified that the City of Woodstock City Council, Plan Commission, Zoning Board of Appeals, Project Review Commission, or Historic Preservation Commission will conduct a public hearing on Monday/Tuesday/Thursday, the _____ day of _____, 20_____ at 7:00 p.m. in the City Hall Council Chambers (2nd Floor) at 121 West Calhoun Street, Woodstock, Illinois.

The hearing will be in regard to a petition for a proposed

- zoning text amendment
- zoning interpretation
- rezoning
- zoning variation (See Appendix L)
- sign variation
- special use permit
- planned unit development
- annexation agreement
- other: _____

The petition which is the subject of the public hearing has been filed by _____ and pertains to:

insert description of request and, if applicable, relevant chapters or sections of the Unified Development Ordinance

The requested hearing pertains to property generally located _____ and owned by _____. Said property is legally described as follows:

insert legal description

A copy of the petition or request, or item which is the subject of this public hearing is on file and available for public viewing at Woodstock City Hall. Anyone wishing to comment may attend the meeting and be heard. Written comments may be submitted to the Community & Economic Development Department at City Hall on or before 5:00 p.m. on the day of the hearing, or during the hearing and prior to its close.

/s/ _____, City Clerk

For publication on: _____, 2_____.

SAMPLE REZONING/SPECIAL USE PERMIT PETITION

IN THE MATTER OF THE APPLICATION OF _____ }
FOR AMENDMENT OF THE UNIFIED } **SS**
DEVELOPMENT ORDINANCE OF THE CITY }
OF WOODSTOCK, MCHENRY COUNTY, ILLINOIS }

Your Petitioners, _____, respectfully represent to the Plan Commission, as follows:

(1) That _____, is the owner of record of the real estate which is the subject of this petition and which is more fully described as follows:

(Full legal description including permanent parcel number)

(2) That your Petitioner(s) _____ as Trustee under the provisions of a Trust Agreement dated and known as Trust No. _____, is/are the contract purchasers of the aforesaid described real estate.

(3) That the aforesaid property which is the subject of the Petition consists of approximately _____ acres, more or less, and said property is located at approximately in the City of Woodstock, McHenry County, Illinois.

(4) The subject property is presently classified _____.

(5) The properties abutting the subject property are presently classified _____.

(6) That the Petitioners request that the classification of the subject property be changed to _____ or that a special use permit for the following activity be approved:

(7) The subject property is located and well suited for utilization as to the permitted uses in the _____ District classification or proposed special use in

(8) That a list of taxpayers abutting, adjoining and within two-hundred-fifty (250) feet of the property owned by the Petitioner as shown on the rolls of the County Assessors, is attached to this Petition and made part hereof and marked as Exhibit Number 1.

(9) That in compliance with the requirements of Section 72, Chapter 148 of the Illinois Revised Statutes, attached as Exhibit Number 2 is the Affidavit pertaining to the ownership of the beneficial interest of the trust holding title to the subject property.

WHEREFORE, your Petitioners request that the Chairman of the Plan Commission of the City of Woodstock set a date, time and place for a hearing on the contents of this Petition and that as a

result of the taking of testimony and viewing of exhibits presented thereat, the Plan Commission will recommend to the City of Woodstock, Illinois, the change in classification of the subject project property to _____ or the approval of the proposed special use permit under the City of Woodstock Unified Development Ordinance.

(Petitioner): _____ ATTEST: _____

STATE OF ILLINOIS, COUNTY OF MCHENRY) SS

I, _____ a notary in and for said county in the State of Illinois, do hereby certify that _____ who is/are personally known to me to be the same person/persons whose name/names is/are subscribed to the aforesaid instrument, appeared this day in person and acknowledged that he/they signed this document as their free and voluntary act and deed for the uses and purposes hereon set forth. Given under my hand and notarial seal this _____ day of _____, 20____.

Notary Public: _____ (SEAL)

Note: Additional submittal material which may provide a better depiction of the petitioner's request may accompany this petition.